

Town of Effingham, New Hampshire

Parking Ordinance

Authority:

In accordance with an under the authority of the New Hampshire Revised Statutes Annotated, Chapter 41, Section 11 Chapter 47, Section 17, VII, VIII and XVIII, authorizing the Board of Selectmen to enact ordinances governing the use of public ways and traffic devises and signals. The following ordinance repeals and replaces any and all previous ordinances regulating parking in the town of Effingham.

Purpose:

To establish standards for parking and snow removal to promote an environment of safety for both vehicle and pedestrian traffic.

Definitions:

Park or parking:

The complete cessation of movement of a vehicle, whether occupied or not, attended or unattended, on the street, otherwise then temporally for the purpose of and while expeditiously taking or leaving passengers or loading and/or unloading merchandise, then in readiness of immediate delivery.

Way:

Way shall have the same definition as found in RSA 259:125.

Vehicle:

Vehicle shall have the same definition as found in RSA 259:122.

Parking Regulations:

Unless directed by a Police Officer or in compliance with an official traffic control devise or when necessary to avoid conflict with other traffic, no person except the driver of an emergency vehicle shall on any way, park any vehicle:

1. Along any public way when such parking would block or obstruct traffic.
2. On the roadway side of any stopped or parked vehicle (double parking).
3. In the Town's Right-of-Way on any way.
4. Within any intersection.
5. In front of any public driveway or private driveway without the permission of the property owner.
6. In any parking space, whether on public or private property, specifically designated for the physically handicapped by means of a sign stating that the space is reserved for the physically handicapped or displaying the "Wheelchair Symbol" as defined in RSA 275-C:9 unless, that person has a special registration number plate, decal tag or car issued pursuant to RSA 261:86, 87 or 88.
7. Within fifteen (15) feet of any fire hydrant (unless a parking space is clearly designated by signs or pavement markings).
8. Within thirty (30) feet of an intersection (unless a parking space is clearly designated by signs or pavement markings).
9. Within a "Fire Lane or Emergency Lane".
10. Adjacent to or alongside any street excavation.
11. Upon any bridge.
12. On any railroad tracks.
13. At any place where officially designated as "No Parking" zones by the Effingham Board of Selectmen and at which signs prohibit parking have been erected. Such places are:
 - At the Town Offices
 - Emergency Fire Lanes at the Town Library
14. On any public way in such a manner as to impede snow removal. No person shall stop or cause to be stopped or park a vehicle so as to impeded or interfere with the proper snow clearing operations of the Town when snow removal operations are in effect.

Parking is banned between the dates of November 1st thru April 30th, on any way in the Town of Effingham.

Enforcement:

Any vehicle parked contrary to this ordinance may be towed at the owner's expense, in the following manner:

1. Any Police Officer may authorize for towing any violations of this ordinance.
2. Authority to removal and Impoundment: RSA 262:32
3. Any person(s) whose vehicle is towed pursuant to this ordinance shall be liable for all costs of such towing and storage but shall have the right to a hearing upon the same terms and conditions as set forth in RSA 262:33, I, II and III.

Fines and Forfeitures:

1. Except as noted in paragraph 2 below, any person violating any provisions of this Ordinance shall be guilty of a violation of Town policy, provided however that such person may pay Civil Forfeiture to the Town of Effingham in the amount of \$25.00 first offense, \$50.00 second offense and \$100.00 for the third and subsequent offense thereafter within one (1) year, to be paid within fifteen (15) business days. Such penalty to inure to the Town of Effingham within fifteen (15) days of issuance at the Town Clerk's office. Failure to comply with this procedure will result in a summons to the Third Circuit Ossipee Court.
If such forfeiture is paid, no future action will be taken against such person.
2. The registered owner of any vehicle violating any part of this ordinance shall be liable for said violation and for any fine or forfeiture resulting from said violation.

Severability:

In the event any section, subsection, sentence, clause or phrase of this ordinance shall be adjudicated to be invalid or unconstitutional, such part or phrase is declared to be severable and all remaining portions of this ordinance shall remain in full force and effect.

Effingham Board of Selectmen



John Meisner



Michael Cahalane



Chuck Fuller

Adoption Date: 8/20/2019